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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/851,599	05/08/2001	Yukio Isobe	16869S019510	2606
20350	7590	01/26/2006	EXAMINER	
TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834			BOCCIO, VINCENT F	
			ART UNIT	PAPER NUMBER
			2616	

DATE MAILED: 01/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



Art Unit: 2616

**DETAILED ACTION**

The Group and/or Art Unit location of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Group Art Unit 2616.

**Election/Restrictions**

1. Applicant's election without traverse of species V, Fig. 19, claims 14-17, in the reply filed on 11/7/05, is acknowledged.

**Drawings**

1. The drawings are objected to because Fig. 17, item 2510, "STR~~A~~EM WRITE STATUS", the examiner suggests, "STREAM Write Status".

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

**Claim Rejections - 35 USC § 112**

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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1. **Claim 14-17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

Regarding, claim 14, line 10-11, the phrase "and the like" renders the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed (those encompassed by "or the like"), thereby rendering the scope of the claim(s) unascertainable. See MPEP § 2173.05(d).

Regarding claim 14, line 10, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

**Claim Rejections - 35 USC § 102**

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 14-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Gotoh et al. (US 6,978,084).

Regarding claims 14-17 Gotoh discloses and meets the limitation associated with a recording/reproduction method for recording picture and sound on the basis of said management information, characterized in that control means is provided for controlling in general inclusive of the recording and reproduction and storing means is provided for storing

- statuses (Fig. 1, steps A7, A10, also Fig. 1, 3, 9, 12, 13, 24), wherein the control means is so arranged as to store sequentially in the storage means status discriminating information indicative of operating statuses (during a recording operation),

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- "such as", recording or reproduction or edition and the like, any one of these operations;
- wherein upon activation the control means reads out the status discriminating information (to analyze the recorded A9, data for errors, step A10) from the storing means to analyze (step A10, "no error" or "address read out error", based on the status and analysis), the picture/sound data in accordance to the status discriminating information for thereby,
- correcting by skipping the recorded management data (Fig. 1, recording operation, A9 in view of A8, recorded ECC, status from step A10) and picture/sound data themselves (A12, when step A10 indicates error), into information and data each of proper format (read-able);
- wherein on the basis of the status discriminating information {of the data currently being recorded} read out to perform data verification step A10, which is stored, that the information succeeding (Later or after the current) is not reflected yet (not processed), analysis is performed for location not reflected yet by acquiring information from the management information (met by location verification prior to recording, step A7, address OK, prior to recording either ECC or content, being A & V), claim 15,
- wherein, when it is decided on the basis of status read out that an intermediate portion (during recording, middle or so portions) of the A/V data is not reflected yet analysis is performed from a leading location (current location to record to, met by step A7, address OK prior to recording operation), claim 16.

**Contact Fax Information**

Any response to this action should be faxed to:

(571) 273-8300, for communication as intended for entry,  
this Central Fax Number as of 7/15/05.

Application/Control Number: 09/851,599

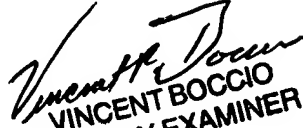
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Contact Information

Any inquiry concerning this communication or earlier communications should be directed to the examiner of record, Monday-Tuesday & Thursday-Friday, 8:00 AM to 5:00 PM Vincent F. Boccio (571) 272-7373.

Primary Examiner, Boccio, Vincent  
1/21/06

  
VINCENT BOCCIO  
PRIMARY EXAMINER